

1990-0124-011-003

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Department of Health Services v.
Cindy (Glasper) Murren, LPN License No. 016463
92 Kent Avenue
Bridgeport, CT 06610
CASE PETITION NO. 900124-11-003

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Health Services (hereinafter the "Department") with a Statement of Charges dated August 20, 1991. (State Exhibit 1) The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Cindy (Glasper) Murren, LPN (hereinafter the Respondent).

The Board issued a Notice of Hearing dated August 21, 1991. The hearing scheduled for September 24, 1991 was continued by the Board after a message was received by the Board that the Respondent was unable to attend the hearing. (Hearing Transcript September 24, 1991, p. 3) The hearing was rescheduled for October 22, 1991 and took place on October 22, 1991 in Room 112, National Guard Armory, Maxim Road, Hartford, Connecticut. The Respondent received notice of the continuance date. (Department Exhibit 3)

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record and their specialized professional knowledge in evaluating the evidence.

FACTS

Based on the testimony given and the exhibits offered into evidence, the Board made the following findings of fact:

1. Cindy (Glasper) Murren, hereinafter referred to as Respondent, was issued Connecticut Licensed Practical Nurse License Number 016463 on December 3, 1976. (Department Exhibit 5)
2. The license of the Respondent was suspended by Order of the Board from June 6, 1989 to January 31, 1990. (State Exhibits 5 and 6)
3. Pursuant to the General Statutes of Connecticut, Section 4-182(c), the Respondent was provided full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license. (State Exhibit 4)
4. The Respondent was aware of the time and location of the hearing. Department Exhibit 3 indicates that notice of the location and time of this hearing was sent by First Class mail to the Respondent's address of record.
5. The Respondent was not present at the hearing and was not represented by counsel. (Hearing Transcript October 22, 1991, pp. 2-3)

6. During March, 1989 the Respondent was on supervised home release from incarceration for previous criminal convictions. (Hearing Transcript October 22, 1991, p. 10)
7. While on supervised home release, the Respondent left Connecticut without permission on or about March 21, 1989 which resulted in her subsequently being arrested and charged with "Escape in the first degree", (General Statutes of Connecticut Section 53a-169) on September 7, 1989. (State Exhibit 7) (Hearing Transcript October 22, 1991, p. 8, 10)
8. On September 15, 1989 the Respondent plead guilty and was convicted of "Escape in the first degree." (State Exhibit 7)
9. Beginning on or about 1987 and continuing subsequent thereto the Respondent abused the controlled substance heroin and other substances. (Hearing Transcript October 22, 1991, p. 10) (State Exhibit 8)

DISCUSSION AND CONCLUSIONS

The FIRST COUNT of the Statement of Charges alleges the Respondent, on or about March 21, 1989 while on parole for the conviction of various criminal violations, violated her parole for which she was subsequently charged and convicted of escape in the first degree, a violation of the General Statutes of Connecticut Section 53a-169.

The Respondent was not present or represented at the hearing to answer to this charge.

The General Statutes of Connecticut, Section 20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession.

The Respondent, in statements made to Division of Medical Quality Assurance Investigator Jeffrey A. Kardys, admitted that on or about March 21, 1989 she violated her parole by leaving Connecticut without permission for which she was subsequently arrested and charged with escape in the first degree. (Fact No. 7) The Respondent subsequently pled guilty and was convicted of violating the General Statutes of Connecticut Section 53a-169, "Escape in the first degree". (Fact No. 8)

Paragraph 4 of the First Count alleges that on or about September 15, 1990 the Respondent was convicted of violating the General Statutes of Connecticut Section 53a-169. The record of the Superior Court (State Exhibit 7) indicates the date of conviction as being September 15, 1989. Although there is a discrepancy in dates the allegation that the Respondent was convicted of violating the General Statutes of Connecticut Section 53a-169 is proven by the Superior Court Record.

The Board concludes that the Respondent's conduct of violating parole and being convicted of escape, is conduct which fails to conform to the accepted standards of nursing profession, and therefore a violation of the General Statutes of Connecticut Section 20-99(b)(2) and (8).

The SECOND COUNT of the Statement of Charges alleges that during 1987 and subsequent thereto the Respondent abused the controlled substance heroin and/or other substances.

The Respondent was not present or represented at the hearing to answer to this charge.

The General Statutes of Connecticut Section 20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession, including "... (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals...."

Based on the Respondent's admission in statements made to Medical Quality Assurance Investigator Jeffrey A. Kardys (Fact No. 9) the Board concludes that beginning on or about 1987 and continuing subsequent thereto the Respondent abused Heroin and other substances and therefore violated the General Statutes of Connecticut Section 20-99(b)(5).

ORDER

Pursuant to its authority under the General Statutes of Connecticut, Sections 19a-17 and 20-99, the Board hereby orders:

1. That for the First Count, the practical nurse license of the Respondent be revoked.
2. That for the Second Count, the practical nurse license of the Respondent be revoked.

3. The date of revocation shall become effective on April 15, 1992.

The Respondent, Cindy (Glasper) Murren is hereby directed to surrender her Practical Nurse License No. 016463 and current registration to the Board of Examiners for Nursing, 150 Washington Street, Hartford, Connecticut 06106 on or before April 15, 1992.

The Board of Examiners for Nursing hereby informs the Respondent and the Department of Health Services of the State of Connecticut of this decision.

Dated at *Hartford*, Connecticut, this *20* day of *February*, 1992.

BOARD OF EXAMINERS FOR NURSING

BY

Janice Thibodeau R.N.

6893Q